TOWN OF CANMORE

BYLAW 05-2009

PROVINCE OF ALBERTA

Associated legislation:	Municipal Government Act; Police Act RSA 2000, c-P-17

BEING A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING A POLICING COMMITTEE

WHEREAS The Municipal Government Act RSA 2000, c.M-26 and regulations as amended, provide that Council may pass bylaws in relation to services provided by or on behalf of the municipality;

WHEREAS The Police Act RSA 2000, c-P-17 and regulations as amended, provide that a municipality which has entered into an Agreement with the Federal Government for the provision of police services through the Royal Canadian Mounted Police, may by Bylaw establish a Policing Committee;

WHEREAS The Council of the Town of Canmore deems it advisable to establish a Policing Committee;

WHEREAS The Council, by the Bylaw, shall prescribe the rules and regulations governing proceedings and meetings of the Committee;

NOW THEREFORE The Municipal Council for the Town of Canmore in the Province of Alberta, duly assembled; hereby enacts as follows:

TITLE

1. This Bylaw shall be known as the "CANMORE POLICING COMMITTEE BYLAW".

DEFINITIONS

2. In this Bylaw, unless the context otherwise requires:

   a. "Act" means the Police Act, S.A. 2000, c. P-17;
   b. "Agreement" means the agreement between the municipality and the Government of Canada for the provision of police services for the municipality;
   c. "Bylaw" means the Canmore Policing Committee Bylaw number 05-2009 as may be amended from time to time;
   d. "Chair" means the individual elected as per the Police Act Section 23(9);
   e. "CAO" means the Chief Administrative Officer of the Town of Canmore or his delegate within the meaning of the Municipal Government Act;

f. “Committee” means the Canmore Policing Committee;
g. “Council” means the Municipal Council of Canmore;
h. “Councilor” means an elected member of Council;
i. “Member” means a person appointed pursuant to the Policing Committee;
j. “Officer in Charge” means the Officer in Charge of the local RCMP detachment in Canmore;
k. “RCMP” means the Royal Canadian Mounted Police or any member of that police service as the case may require.
l. “Town” means the municipal corporation of Canmore;
m. “Non-Permanent Resident” means persons with permanent address elsewhere and usually occupies the household they own in Canmore on an occasional basis.
n. “Permanent Residence” means the place where the person lives and sleeps and to which, when the person is absent, the person intends to return.

DUTIES AND RESPONSIBILITIES

3. The Policing Committee shall:

   a. oversee the agreement between the Town of Canmore and the Government of Canada for the services of the RCMP;
   b. assist in selecting the Officer in Charge;
   c. represent the interests of the Council to the Officer in Charge;
   d. in consultation with the Officer in Charge, develop a yearly plan of priorities and strategies for municipal policing;
   e. assist the Officer in Charge respecting the implementation and operation of the yearly plan;
   f. represent the interests and concerns of the public to the Officer in Charge;
   g. assist the Officer in Charge in resolving public complaints;
   h. maintain a Business Plan further detailing the actions and responsibilities of the RCMP;
   i. submit the RCMP yearly budget as well as the yearly plan of priorities and strategies to Council for ratification;
   j. submit an annual report to Council;
   k. submit to Council for approval the “roles and responsibilities” of the Public Complaints Director; and
   l. recommend to Council for approval an applicant for Public Complaints Director.

MEMBERSHIP

4. a. The membership shall be comprised of up to 7 members which should include:

      i. one member of Town Council;
      ii. three permanent residents of the Town of Canmore
      iii. one non-permanent resident of the Town of Canmore

iv. one youth between the ages of sixteen and eighteen attending school in the Town of Canmore with preference being given to a member of a Student Council Executive
v. one senior citizen over the age of sixty five years.

b. The Officer in Charge of Canmore's detachment or her/his designate shall attend the committee meetings in an advisory, non-voting capacity.
c. The CAO, or her/his designate, shall attend the Committee meetings in an advisory, non-voting capacity.
d. The Committee, as a public body must comply with Freedom of Information and Protection of Privacy (FOIP) Legislation. The Town of Canmore's FOIP Coordinator will act as the FOIP Coordinator for the Canmore Policing Committee and is responsible for ensuring that personal information is managed in accordance with FOIP legislation. Requests for information involving the Committee should be directed to the Town of Canmore's FOIP Coordinator subject to their fees and policies.
e. Each Member shall be appointed to the Committee for a three (3) year term commencing upon the date of their appointment by Council.
f. The term of any member shall not exceed six (6) consecutive years.
g. A Councilor may be a member of the Committee representing Council only so long as they remain a Councilor.
h. Where a member ceases to be a member of the Committee before the expiration of her/his term, Council may appoint another eligible person for a two (2) or three (3) year term.
i. A former Member is eligible for re-appointment after a minimum one (1) year absence.
j. All persons appointed to the Canmore Policing Committee shall:

i. be eighteen (18) years of age, except for the youth representative who shall be at least sixteen (16)years of age
ii. be a Canadian Citizen or Landed Immigrant and a Permanent or Non-Permanent Resident of the Town of Canmore for six (6) consecutive months immediately preceding the date of advertising for receipt of applications;
iii. take the Oath of Office as prescribed in The Police Act;
iv. undertake a criminal records review and suitability screening through the RCMP;
v. not be hired in any capacity with the RCMP, any Provincial or Municipal Police Service, the Provincial Attorney General's Department or the Department of the Solicitor General of Alberta.

RESIGNATIONS AND REMOVALS

5. a. Any member may resign from the Committee at any time upon sending written notice to the Council to that effect.
   b. Council may revoke a member's appointment to the Committee for cause, and particularly when the member:

i. is absent from three (3) consecutive meetings unless such absence is by reason of illness or is authorized in advance by the Committee;
ii. ceases to be a Permanent or Non-Permanent Resident of the Town of Canmore;
iii. is hired by the Town of Canmore or the RCMP or any other police service or Municipal Police Service, the Provincial Attorney General's Department or the Department of the Solicitor General;
iv. is convicted of a crime under the Criminal Code of Canada;
v. fails to keep the Oath of Office, or discloses any information that jeopardizes a police operation, or the confidentiality associated with the nature of policing including personnel, conduct contracts with the RCMP and security of police operations.

MEETINGS

6. a. The Committee shall hold regular meetings at a frequency to be determined by the Committee, such number of meetings not to be less than nine (9) per year;
   b. The Committee shall elect a Chair and Vice Chair at its first meeting after the Town of Canmore's organizational meeting in October. Council members or municipal employees are not eligible for these positions.
   c. Each member shall have one vote. Proxies are not permissible.
   d. All members appointed to the Committee must vote on all matters before the Committee, unless the person is required or permitted to abstain from voting. The reason for the abstention must be noted in the minutes of the meeting.
   e. Voting by email is not permissible however members may attend and vote by teleconference where feasible.
   f. A majority of the members shall constitute a quorum.
   g. A majority of the quorum is required to pass any motion.
   h. The Chair shall not vote unless there is a tie and then she/he shall vote to determine the decision.
   i. No member shall participate in any discussion nor vote upon any matter that may involve a conflict of interest of the type referred to in sections 170-174 of the Municipal Government Act.
   j. Special meetings may be called by the Chair or in her/his absence, the Vice Chair by providing members with 72 hours notice of the meeting by phone. The Committee may, by unanimous consent, waive notice of a special meeting at any time if every member of the Committee is present.
   k. Meetings of the Committee shall be open to the public but matters relating to discipline, personnel, conduct, management, employee relations and security shall be conducted in-camera respecting the Freedom of Information and Protection of Privacy Act (FOIP).
   l. An agenda shall be prepared and circulated to the Committee Members at least 4 days before each meeting.

m. Minutes shall be kept for each meeting of the Committee and any adhoc or standing committees formed at the discretion of the Committee.
n. The agenda and minutes in their writing and storage shall respect all aspects of FOIP.

EFFECTIVE DATE

7. This Bylaw shall come into effect on the date of final passage thereof.

FIRST READING: **September 15, 2011**

SECOND READING: **September 15, 2011**

THIRD READING: **September 15, 2011**

ORIGINAL SIGNED

MAYOR

ORIGINAL SIGNED

MUNICIPAL CLERK